

MELINDA HAAG (CABN 132612)
United States Attorney

DAVID R. CALLAWAY (CABN 121782)
Chief, Criminal Division

ANDREW S. HUANG (CABN 193730)
Assistant United States Attorney
1301 Clay Street, Suite 340S
Oakland, California 94612
Telephone: (510) 637-3680
FAX: (510) 637-3724
andrew.huang@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

HUGO JOHN SCHERZBERG,

Defendant.

CASE NO. CR 15-00149 HSG

**STIPULATED REQUEST AND ~~PROPOSED~~
ORDER TO EXCLUDE TIME UNDER THE
SPEEDY TRIAL ACT, 18 U.S.C. § 3161 *ET SEQ.***

A status hearing was held on June 8, 2015, in the above-captioned matter. Due to a scheduling issue with his medical treatment, the defendant, who is in custody, was not present for the hearing. A new status hearing is set for August 10, 2015.

For the reasons stated before the Court during the status hearing, and as set forth below, the parties stipulated, and the Court found, that an exclusion of time was appropriate under the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), between June 8, 2015, and August 10, 2015. In support of this exclusion of time, the parties hereby stipulate as follows:

1. On May 20, 2015, the government provided the defense approximately 126 pages of discovery.
2. More discovery is available for inspection by the defense.

3. The defense requires additional time to review the discovery provided (and may seek opportunity to review other available discovery) and to conduct follow-up investigation and research.

4. Due to the defendant's medical treatment and place of custody, additional time is required for counsel to review this matter with the defendant and provide necessary legal advice.

5. The Court may appropriately find that the ends of justice served by continuing this matter to August 10, 2015, outweigh the best interests of the public and the defendant in a speedy and public trial because failure to grant such a continuance would deny defense counsel reasonable time for effective preparation, taking into account the exercise of due diligence.

WHEREFORE, the parties request that the Court exclude time from computation under the Speedy Trial Act, 18 U.S.C. §§ 3161(h) (7)(A) and (B)(iv), from June 8, 2015, through August 10, 2015.

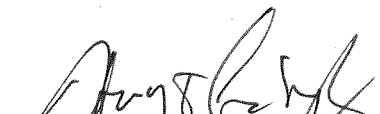
Respectfully submitted,

MELINDA HAAG
United States Attorney


6/8/2015
Date


ANDREW S. HUANG
Assistant United States Attorney

6/11/2015
Date



HUGO JOHN SCHERZBERG
Defendant

6/11/2015
Date


JEROME MATTHEWS, Esq.
Assistant Federal Public Defender
Counsel to Defendant Scherzberg

SO ORDERED.

6/12/2015
Date


Hon. HAYWOOD S. GILLIAM
United States District Judge